

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MAKEYTA JONES,
on behalf of, M.B.,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

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Cause No. 4:04CV1504 RWS

MEMORANDUM AND ORDER

This matter is before me on a Report and Recommendation that this matter be remanded to the Commissioner of Social Security for further proceedings. Neither of the parties has filed an objection to this recommendation. As a result, this case will be remanded under sentence-four of 42 U.S.C. § 405(g).

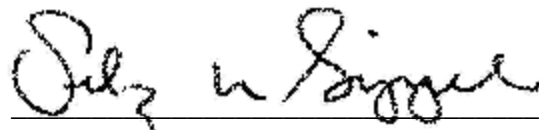
This matter was referred to United States Magistrate Judge Audrey G. Fleissig for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Fleissig issued a Report and Recommendation on January 23, 2006 that recommended that the case be remanded to the Commissioner for further proceedings. Judge Fleissig found that the Administrative Law Judge's determination that Plaintiff was not entitled to benefits was not supported by substantial evidence in the record. Judge Fleissig recommended that the case be remanded for a proper assessment of whether Plaintiff has a marked impairment in the domains of attending and completing tasks and in interacting and relating to others.

Any objections to Judge Fleissig's Report and Recommendation had to be filed by February 6, 2006. Neither of the parties has filed an objection as of today, February 13, 2006.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge Fleissig is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

IT IS FURTHER ORDERED that, pursuant to sentence-four of 42 U.S.C. § 405(g), the decision of the Administrative Law Judge is **REVERSED** and the case is **REMANDED** for further proceedings in accordance with the Report and Recommendation.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 13th day of February, 2006.